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FACSIMILE COVER SHEET

Deliver to: Minh D. A., USPTO	Art Group:2821					
Facsimile No.: 703-872-9306	<u>-872-9306</u> Date: July 6, 2005					
From: Mark C. Van Ness, Reg.	Νο. 39,865					
Our Docket No.: 42P16079	Number of pages11including this sheet.					
Application No.: 10/607,724	10/607,724 Filing Date: 6/27/2003					
Enclosed are the following documents:	Docket Due Date(s): 7/6/2005					
★ Amendment: After Final (_8_pgs)	☐ Issue Fee Transmittal					
☐ Appeal Brief (pgs)	☐ Notice of Appeal					
☐ Application:	Petition for:					
(pgs) w/cover & abstract)	Request for Continued Examination (RCE)					
☐ Assignment & Cover Sheet (pgs)	Reply Brief (pgs)					
☑ Certificate of Facsimile	Request & Certification Under 35 USC 122(b)(2)(B)(I)					
☐ Continued Prosecution Application (CPA)	 Request to Rescind Previous Nonpublication Request 					
☐ Declaration & POA (pgs)	☐ Response to Notice of Missing Parts & Formalities Letter					
☐ Drawings:sheets,figures	Response to Written OpInIon (pgs)					
Extension of Time:	Terminal Disclaimer					
▼ Fee Transmittal (In duplicate)	☐ Transmittal of Publication Fee Due					
☐ IDS & PTO/SB/08 (pgs)	🔀 Transmittal Letter					
☑ Other						
	MAILING/TRANSMISSION (37 CFR 1.8A)					
	transmitted by facsimile on the date shown below to the United States					
Patent and Trademark Office.	3					
(200)	7/6/2005					

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Date

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TRANSMITTAL FORM			Application No.	10/601	7,724	
TRANSMITTAL FORM			Filing Date	June 2	7, 2003	
(to be used for all correspondence after initial filing)			First Named Inventor	Grego	ry A. Peck	
,			Art Unit	2821		
•			Examiner Name	Minh D. A.		
Total Number of Pages	in This Submiss	ion 11	Attorney Docket Numbe	42P16	5079	
ENCLOSURES (check all that apply)						
Fee Transmittal Form	1	Drawing(s)	1		After Allowance Communication o Group	
Fee Attached		Licensing-	related Papers		Appeal Communication to Board of Appeals and Interferences	
Amendment / Respon	nse		Appeal Communication to Great (Appeal Notice, Brief, Reply Brief)			
After Final Affidavits/deck	aration(s)·	Petition to Provisiona	Convert a Application	Proprietary Information		
Extension of Time Re	equest	Power of A Change of	Attomey, Revocation Correspondence Address	, 🗆 :	Status Letter	
Express Abandonment Request		Terminal Disclaimer		Other Enclosure(s) (please identify below):		
Information Disclosure Statement		Request for Refund		Return Postcard		
PTO/SB/08		CD, Number of CD(s)				
Certifled Copy of Priority Document(s)						
Response to Missing incomplete Application	Response to Missing Parts/ incomplete Application					
Basic Filin						
Declaratio						
Response to N Parts under 37 1.52 or 1.53	CFR					
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Firm or Mark C. Van Ness, Reg. No. 39,865						
	BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP					
Signature						
Date July 6, 2005						
	CERTIFICATE OF MAILING/TRANSMISSION					
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.						
Typed or printed name	Typed or printed name Gayle Bekish					
Signature			Date	July 6, 2005		

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FEE TRANSMITTAL				Complete if Known				
FEE INANSIMITAL		Application Number		07,724				
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				Examiner Name	0.05	ory A. Pec	K .	
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METHOD OF	METHOD OF PAYMENT (check all that apply)							
□ Check □ Credit card □ Money Order ☒ None □ Other (please identify):								
Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP								
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge any additional fee(s) or underpayment of fee(s) Credit any overpayments under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.								
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2053	130 2053	130	Non-English sp	Non-English specification				
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1252	150 2252	225	Extension for re	Extension for reply within second month				
1253 1,0	2253	510	Extension for reply within third month					
1254 1,	590 2254	795	Extension for reply within fourth month					
1255 2,	160 2255		Extension for reply within fifth month					
1401	500 2401		Notice of Appeal					
1402	500 2402		Filing a brief in support of an appeal					
1403 1,	2403			Request for oral hearing				
1451 1,	510 2451		Petition to institute a public use proceeding					
1460	130 2460		Petitions to the Commissioner					
1807	50 1807		Processing fee under 37 CFR 1.17(q)					
1806	180 1806		Submission of Information Disclosure Stmt					
1809	790 1809		Filing a submission after final rejection (37 CFR § 1.129(a))					
	790 2810		For each addition	•	•			
Other fee (specify)								
SUBTOTAL (2) (\$)								
Name (Print/Type)	Mark C. Var	Ness		Registration No.	39,865	Telephone	lete (f applicable) (503) 439-8778	
Signature				transmotherit		Date	07/06/05	

Based on PTO/SB/17 (12-04) as modified by Blakely, Solokoff, Teylor & Zafman (wtr) 12/15/2004, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandris, VA 22313-1450

07/06/05

Date

FEE TRANSMITTAL			Complete If Known							
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		Filing Date			27, 2003					
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METHOD OF PAYMENT (check all that apply) Check Credit card Money Order None Other (please identify):										
Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP										
`	For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)									
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				underpayment of fee		ny overpay		•		Ü
und	under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.									
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2053	130	2053		•	Non-English specification					
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1252	450	2252		Extension for reply within second month				··		
1253	1,020	2253		Extension for reply within third month						
1254	1,590	2254	795	Extension for reply within fourth month						
1255	2,160	2255	1,080	Extension for reply within fifth month			"			
1401	500	2401	250	Notice of Appeal						
1402	500	2402	250	Filing a brief in support of an appeal						
1403	1,000	2403	500	Request for oral hearing						
1451	1,510	2451	1,510	Petition to institute a public use proceeding						
1460	130	2460	130	Petitions to the Commissioner						
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)						
1806	180	1806	180	Submission of Information Disclosure Stmt						
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))						
1810	790	2810	395	For each addition	nal invention to	be exam	nined (37 CFR § 1	.129(b))	
Other fee (specify)										
SUBTOTAL (2) (\$)										
SUBMITTED BY Complete (if applicable)										
Name (Print/T)		k C. Van	Ness		Registration No.	39,865		Telephone) 439-8778

Based on PTO/SB/17 (12-04) as modified by Blakely, Solokoff, Teylor & Zefman (wir) 12/15/2004, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature

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Attorney Docket No.: 42390.P16079

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application	of: Gregory A. Peck)
Serial No.	10/607,724) Group Art: 2821
Filed:	06/27/03	Examiner: Minh D. A.
Title:	Apparatus and Method to ovide Antenna Diversity))

Commissioner for Patents P.O Box 1450 Alexandria, VA 22313-1450

RESPONSE TO NON-FINAL ACTION

Dear Sir,

In response to the Final Office Action dated April 6, 2005, Applicant respectfully requests entry of the following amendment, and reconsideration and withdrawal of the rejections.

No Amendments were made to the Specification

Amendments to the Claims begin on Page __2_

No Amendments were made to the Drawings

Attorney Docket No: 42390P16079

Serial No: 10/607,724